

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**IN RE:**

**Garden Oaks Maintenance  
Organization, Inc.**

**DEBTOR**

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CASE NO. 18-60018  
Chapter 11

**DEBTOR'S APPLICATION FOR AUTHORITY TO EMPLOY ROBERTS  
MARKEL WEINBERG BUTLER HAILEY, PC AS SPECIAL COUNSEL**

**THIS APPLICATION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE APPLICATION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE APPLICATION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE APPLICATION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

**COMES NOW**, Garden Oaks Maintenance Organization, Inc. (the “Debtor”) and files this Application For Authority To Employ Roberts Markel Weinberg Butler Hailey, PC As Special Counsel (“Roberts Markel”) pursuant to §§ 327 & 330 as special counsel in this chapter 11 case.

1. This Chapter 11 case was filed on April 11, 2018.

2. The Debtor seeks an order authorizing the retention of Roberts Markel as the Debtor's special counsel in this case under §§ 327 & 330 of the Bankruptcy Code.
3. In preparing its Plan of Reorganization, the Debtor is in need of special counsel to advise it regarding specific legal issues related to deed restrictions, home owners associations and the legal restrictions and requirements for complying with the Texas Property Code. The Debtor intends to provide for amended deed restrictions and other modifications that require compliance with specific and complex requirements of the Texas Property Code governing Home Owners Associations and related deed restrictions.
4. Debtor proposes to employ Roberts Markel, with Sipra Boyd designated to act as lead attorney, as Special Counsel. Debtor desires to retain Roberts Markel because it is uniquely qualified to assist and counsel the Debtor regarding specific Home Owner related issues as they relate to deed restrictions and organizations of associations that enforce neighborhood organizations.
5. It is proposed that compensation for services rendered to the Debtor will be paid from the estate at the hourly rate set by Roberts Markel from time to time for its respective attorneys. Invoices will be generated for actual time spent providing such legal services. The current hourly rate of Sipra Boyd, the principal attorney currently designated to represent the Debtor, is \$400.00. Other attorneys or legal assistants from Roberts Markel who may represent the Debtor shall likewise bill for actual time spent at their respective standard rates.

6. Roberts Markel will seek reimbursement of actual and necessary expenses pursuant to 11 U.S.C. § 330(a)(1)(B). Expenses for which reimbursement will be sought include, among other things, telephone and telecopier toll and other charges, mail and express mail charges, special or hand-delivery charges, photocopying charges, document processing, travel expenses, as well as non-ordinary overhead expenses such as staff overtime. All such expenses shall be within the standards normally enforced by the bankruptcy court in the Southern District Of Texas.
7. All compensation and reimbursement of expenses will be subject to approval of this Court as required by the Bankruptcy Code.
8. To the best of the Debtor's knowledge and belief, Roberts Markel and each of the attorneys to be employed, does not represent any person or entity in connection with this proceeding that has an adverse interest against the Debtor or its estate. Accordingly, Roberts Markel is a disinterested person and is qualified to be retained under section 327(a) of the Bankruptcy Code.
9. Attached hereto as Exhibit "A" is the 2016 declaration of Roberts Markel/Sipra Boyd, in which it is represented that to the best of its knowledge, there are no connections with the debtor, creditors, any other party in interest, their respective attorneys and accountants, the United States trustee, or any person employed in the office of the United States Trustee.

10. The employment of Roberts Markel should be approved effective as of November 1, 2018, with the right to seek compensation for services rendered on and after that date.
11. Debtor further seeks permission to provide Roberts Markel with a \$7,500.00 retainer as security for further work, subject to Court approval prior to Roberts Markel applying such funds.

**WHEREFORE**, the Debtor requests this Court to enter an order authorizing the retention of Roberts Markel as special counsel for the purposes specified herein; and that the Debtor be granted such other and further relief as may be just and proper.

Dated: November 30, 2018.

Respectfully submitted,

By: /s/ Johnie Patterson  
Johnie Patterson  
*Counsel For The Debtor*  
SB#15601700

OF COUNSEL:

WALKER & PATTERSON, P.C.  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the following was served upon the United States Trustee, Suite 3516, 515 Rusk, Houston, TX 77002 by electronic transmission, and was posted on the Debtor's website at [www.gardenoaks.org](http://www.gardenoaks.org) on November 30, 2018.

/s/ Johnie Patterson  
Johnie Patterson